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## CONDITIONS IN PHILIPPINES.

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APPENDIX TO SPEECH OF

# HON. EXWOCARMACK.

IN THE SENATE OF THE UNITED STATES,

December 10, 1004.

In executive session Mr. Carmack obtained unanimous consent to add the following as an appendix to his remarks:

Philippine conditions—The report of an independent observer—The islands absolutely prostrated economically—Agriculture much depressed—The misories of reconcentration—The large number of prisoners at Billibid—The law a jumble of American and Spanish—Weakness of the native constabulary—Control of the press by Intimidation and by government advertising—The most expensive administration the islands have known.

[By Prof. H. Parker Wills, of Washington and Lee University, L ington, Va.; in the New York Evening Post, October 28, 1904.]

ington, Va.; in the New York Evenling Post, October 28, 1904.]
The prominence given by Secretary Taft to the Philippine question, and his assurance that satisfactory procress toward better things is being made in the Islands may lead persons who have not closely examined this subject to believe that insular conditions are all that they can be a recent visit to the islands; extended through some four months and covering a wide field of observation, has not only led to a conviction on my part that this opinion is unfounded, but, further, I am satisfied that it is in all essential respects at variance with the facts. They are otherwise than as Secretary Taft represents them to be—quite otherwise. This statement is not incomplete them to be—quite otherwise. This statement is not incomplete them to be made the product of the

its head, from either coming into cook recalling the nature of conditions for which they themselves are responsible.

There can be no doubt that the general public of the United States is under grave misappreliension concerning the situation in the Initipe in the Property of the Cook of the Co

The Philippine Islands are to-day absolutely prostrated economically and politically. Hardly any undertaking is being successfully conducted. According to unpublished figures for shed by the internal revenue office of Manila, about 5,000 licen to do bisiness have been issued to American individuals and firms of graph period of our occurs of the control of the cont 6153

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and positive decline in all branches of trade with the United States is and positive decline in all branches of trade with the United States is now in progress, as partially illustrated by the fact that for the seven months ending July, 1904, the shipments of domestic merchandise from the United States to the Philippines were \$2.530.899, as against \$2.530.924 for the corresponding months a year earlier, while the shipments of merchandise from the Philippines to the United States were \$5.958.148 for these same seven montus, as against \$7.537.532 a year earlier. Relations between the United States and the Philippines under the tariff act passed by Congress in 1902 are so difficult that there is no reason to anticipate the building up of a great-state trade still further, both actively and by anticipation. Today a large flater. Recent shipping legislation has depressed the interistand trade still further, both actively and by anticipation. Today a large fleet of Philippine steam vessels is anchored off Cavite with absolutely no occupation. This feet is daily growing in size.

head of Hillippine steam vessels is anchored of Cavite with absolutely with the conditions in trade with our own country are thus discouraging, there is no warrant for the belief that the general outlook is more favorable. Mach lats been said by American administrators of a recent growth in chyorts and imports as indicating increased prosperity, but there is certainly no such inference to be drawn from the figures. Between 1839 and 1933 gross imports of merchandles increased point two and one-half times, but imports of food and animals quadrupled, the growth in this time being due to rice purchases for the support of the starving peasants and draft animals designed to replace those destroyed by war and rinderpest. Manufactured goods imported the starving peasants and draft animals designed to replace those destroyed by war and rinderpest. Manufactured goods imported and 1903, showing nothing more than dendled between 1839 and 1903, showing nothing more than a demand for such goods made by government employees in the Islands. The growth in exports (chiefly hemp) is due simply to a partial restoration of peace and consequent resimption of receilar dealings.

The trade conditions observable at Manija and other ports are merely

receive the conditions observable at Manila and other ports are merely reflection of what may be witnessed in the Interior. A journey through the provinces can not help giving a most discounting impression. Many towns, formerly well built, and destroyed during the war by some one of the various armies, have been only partially, and even then ladly, rebuilt. Churches are in ruins; whole yillages here and there lie waste. In many parts of Luzon the roads and trails, nearly impassable, are daily failing into worse condition. Barring one initial appropriation of about \$1,000,000 and some recent appropriations from the Congressional relief fund, nothing has been done by the central government in road making except to sink some \$800,000 in attempting what symmetries what symmetries are impossible groad to the summer resort are instances been replaced. It is the common opinion that land travel is more difficult and slower than ever before.

## CONDITION OF AGRICULTURE.

The increasingly depressed state of agriculture in these rice-growing islands can be realized by a review of the importations of rice during the past four years. These have been as follows (keport 1904, p. 48): \$3, 113, 423 5, 490, 508 6, 578, 4\$1 10, 061, 323 1900 1901 1902 1903

This growth in the imports of rice is attributed by Philippine farmers not to the ages in perioditure, as initiated by Covernor Taff, but to the control of This growth in the imports of rice is attributed by Philippine farmers immediate hardship.

The depression in rice culture is paralleled for a different reason in the growth of sucar. Sugar could be raised with much less reliance on animal labor than could rice; but the American tariff situation absolutely forbids the possibility of making a profit on it. Planters state that under present tariff duties they can barely cover the cost of production. Tobacco is in a suffering condition, owing to new tariff duties they can barely cover the cost of production. Tobacco is in a suffering condition, owing to new tariff duties in several eastern countries. Hemp is the only article in which prosperous conditions of production now-exist; but its cultivation must always be narrowly limited to certain soils and localities. Farallel with the bad trade and agricultural outlook has come a great increase in cost of thing, which is now full double but one a great increase in cost of thing, which is now full double in the contraction of the past three population has become greatly reduced in vitality and has fallen an easy prey to the series of terrible epidemics of the past three years. The Philippine tariff on imported commodities is so arranged as practically to forbid imports of agricultural machinery, and the Commission professes to be unable to change it without Congressional consent.

### SUFFERING AND DISSATISFACTION.

Partly owing to the bad industrial prospect, to actual suffering, and Partly owing to the had industrial prospect, to actual suffering, and to intense and permanent dissatisfaction with existing political arrangements the unrest of the country continues to increase. When it is a continue to the continue of the continue of

tration.

RECONCENTRATION

The use of this plan for reducing a population to submission is au-

The use of this plan for reducing a population to submission is authorized by section 6 of the Commission's act No. 781, further organizing the constabulary, in the following words:

In provinces which are infrested to such an extent with ladrones or in the control of the con barrios.

It is a fact that no recent year has passed without the application of this polley on a large scale. In 1902 it was undertaken in the region about Lake Tanl, comprising parts of Laguna and Batungas provinces. It then affected not less than 100,000 people, according to the report of Colones Wagner, who inspected the camps (8. Dec. 334, 57th Cong., 18t sees., pt. 3, p. 2873), each of which included from 80,000 to 14,000 persons. During 1903 the same plan was parsened in Allicay where we have the same plan was parsened in Allicay where we have the control of the congression of th

inhabitants

minimizations.

Besides the official application of the policy on a large scale, other instances have occurred. Several camps now exist in Cavite, and, not long since, reconcentration was tried in Tayabas, without official authority, a cording to Exclovernor Taft. It is beyond the question, thority, according to Exclovernor Taff. It is beyond the question, from the resumony both natives and Americans who are conversant with the vortings of reconcentration, that its effects are most disastrons, causes with depends suffering. In the camps food is distributed only when extreme want reonires it, work on the roads being sparmuly miniched to those who are able thus to supply themselves with rations. The lack of house accommodations and the scarcity of food, as well as the overgrowding of the unitates of the camps, have invariably caused marked increase in mortality. At the same time there has been marked increase in morrouty. At the same time there has been a tre-mendous less of cross and houses throughout the districts in which re-concentration has taken place. The homp losses charactable to recon-centration in Albay are estimated by Mr. Taff at from 1,000,000 to 12 con,000 pesos, or 85,000,000 to 85,000,000 United States (Report, 1901, p. 52, an ejectrous loss when the limited character of native

Phol. p. 421, an enormous loss when the finited character of native resources is considered; is certainly too low, and would have to be largely intensed if other commodities besides home should be con-sidered. A vastly larger loss was inquestionably inflicted upon the province of listancas, which has the appearance of being wholly funded, owing to the destinction of coconditi and other trees. The authorities speak of the treatment accorded to this province as a "second resource."

"saver lesson," and there is in the Philippines none of the familiar pretence that reconcentration operations can be carried on without hardship of the most terrible character.

Total losses of crops left without tendance in the reconcentrated districts, of houses burned by the careless or malicious soldiery, and general rain to Lace dapital, necessarily result in most serious suffered tendence of the senty support furnished them while in continuous I. The natives had become so necusioned to the use of reconcentration by the Staniards that they regarded it as a matter of course in time of war. They result very bitterly, however, the pretence that civil government exists when such methods are employed; taking a support of the control of the contro have been violated.

## SEVERE LEGISLATION.

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STUER LEGISLATION.

The readiness of the Commission to make the whole population suffer for the last of a and body of insurgents or hadrones is further shown. This near not posses the penalty of death, or at least twenty years inspressment, for themselveship in a ladrone land, providing that "to prove the crime." It shall not be necessary to addine cridence that may nember of the band has in fact committed robbery or the T. A. It extens provides a second has in fact committed robbery or the T. A. It extens provides a second second robber of the state of the provides and the second robber of the state of the state

mony of capable American lawyers in Manila that under existing law it is entirely possible to convict any human being in the archipelago of "bandolerismo" (the local name for membership in or assistance to erganized bands of insurrectionists), without regard to guilt. That such conviction can be secured is, in fact, the open boast of some constabulary officials. Filipinos believe that these statutes are inharmonious with the "great principles of government \* \* \* which we deem essential to the rule of law and the maintenance of individual freedom."

freedom.

we deem essential to the rule of law and the maintenance or individual freedom."

How effective this legislation has been may be seen from the situation in the Billibid prison. From September 1, 1202, to September 1, 1302, to September 1, 130 tenced and were awaiting capital punishment was 100.

STATE OF THE JUDICIARY.

In bringing about these consistions, and in harshly enforcing the harsh legislation aircady referred to, responsibility must be divided between the judiciary and the constabulary. The judges have for the most part been under the thumb of the Commission, or incompetent and disposed to convict without sufficient evidence.

The defective character of the judiciary of the Islands has been fully recognized by authoritative writers. Mr. Colquboun, the English author of a recent book Green from the speaks of the property of the standard of the spanish language, and who had never heard the native dialects. The evil features of the present situation seem to be as follows: follows

follows:
(1) The judiciary act (No. 136) contains no provision for the length of tenure of judges in courts of first instance, and no process by which they may be publicly impeached and removed from office. They hold their places subject to the will of the Commission.
(2) Few of them speak and understand Spanish, and they are consequently able to follow the testimony in the courts only with great difficulty. This is a notorious fact.

(2) Few of them speak and understand Spanish, and they are consequently able to follow the testimony in the courts only with great difficulty. This is a notorious fact.

(3) A system of venal or incompruption many innecent men are required to the system of system of the system of system of the system of the system of system of the syste 6153

law. In Americanizing the law of the Islands we have however, omitted the principles of trial by jary, and other protections to individual richis. The present confusion is keenly felt by the best Spanish and Filipuro lawyers and by the most informed of our judges. So more drastic colors of the Spanish Civil Code, better judges from the Spanish Civil Code, better judges for more drastic colors of the Spanish Civil Code, better judges for more drastic colors of the Philippine bench. The bad judicial and legal situation was fully presented to Mr. Taft before he left the Islands by eminent members of the Manila bar, but he failed to take action, suggesting political motives for the criticisms.

#### CONSTABULARY SITUATION.

In close connection with the status of the judiciary should be considered some of the recent developments in the organization of the native constability. In organizing this force (act No. 175) it was provided that its members should be drawn from the province where stationed, thus giving it the character of local police. This policy is highly probable by Governor Wright in his most recent report as secretarized by the convention of the control of constability, was ordered. These seams are chiefly Macabeless and Hoganos, and they have uniformly been stationed in provinces toward which they feel strong racial multipitity. Moreover, the rule that the constability to have been frequently violated. As time has gone on, too, the constability has approximated much more closely to the military type, and has lost its original character as a police force. Its members have censed to burners, blaced more a basis of military pay and rations, and has been frequently cheed of the control of the c

At various points the constabulary or scouts have inflicted terture, as in Cavite; done violence to women, as in Isabela Province, and committed cold-blooded murder, as also in Isabela; arrested men; without warrant and instituted nureasonable searches and seizures, as in Cavite: have stolen personal property, or taken it without payment, as in Mashate and elsewhere, or have grossly violated public order, as in Cobn. The foregoing provinces are mentioned because the abuses in each and every case there referred to can be established by the testimony of reliable eyewitnesses. Trustworthy Philippine lawyers edirm that there are hundreds of men all over the islands who are confined by the constables without any warrant of law. It is certain that the irritation are used among the people by constabulary outrages is nearly universal. In fact, the uniform reply to questions concerning the constabultry situation is that the force is "as bad as the Guardia Civil" of Spanish time-a verdict than which none more severe could be imagined. It deserves to be added that the hardships inflicted by the constability have not been directed against the ladrones, but against constantive has not need infected against the interiore, our against the interior and in the interior and in the interior and in the cities, apparently in some laws from all the other case of the con-stabulary. The constables have been vastly more active in campaign-ing against insurrector than against those ladrenes whose only motive was robbery. In the former case, they have, when able to surround a small band, often butchered them without quarter, as in the case of a snap book of the same discharged in the case of the form of 1600. Some Mignet, which was literally cut to pleest soward the form of 1600. Some Mignet, which was literally cut to pleest soward the noversation, that the records of his huran are "filled with complaints against the force," but he never finds that the charges have any foundation. This is attributable to the fact that constabiliary any foundation. This is attributable to the fact that constabiliary abuses are always investigated and reported upon by constabulary cers, usually belonging to the very locality where the abuses complained of have been committed. It is only by outside investigators that the facts can be established. This makes it the more to be regretted that the Commission has almost uniformly refused to investigate charges of this sort directly,

#### CONTROL OF PUBLIC OPINION.

The great diffiguity encountered in correcting abuses prevalent in the Philippines to-day probably lies in the absence of any freedom of .0153 speech or of the press. Act No. 292, known as the 'sedition act,' provides that "If two or more persons conspire to everthrow, put down, or destroy by force the Government of the United States in the Philippine, Islands such persons shall be punished by a fine of nor constant and such persons shall be punished by a fine of nor constant and such persons shall be punished by a fine of nor constant and present the state of the constabulary spies, it has become unsafe for private persons to attend social gatherings, or express political opinions in their own homes. Expressions by letter are equally dangerous, owing to the searching of the mail—a process which, it is thought by Schor del Pan, of the Manila bar. In his argument on the recent Lukban case, has been carried vasity further, and has leen more arbitrarily used, than under the Spanish administration. While prose-cutions under the sedition act are chiefly directed against natives, recuttons of the consequence of th taken in connection with those of the sedition act, are such as to make it practically impossible to express an opinion adverse to the administration or any member of it without becoming liable to prosecution.

In cases where a critic is too influential, or where his critisms and charges are too carefully phrased to admit of prosecuting him, a process of ostracism takes place which is usually very effective, as Manila soclery consists chiefly of officeholders who take their bias directly from those in authority. An American bishop stationed in Manila exposesses In conversation the opinion that the "impatience of criticism shown by the Commission" is one of the most disastrous features of the present Philippine situation. The hostflity of the higher authorities, he asserts, ls visited upon preachers who venture to criticise a member of the Commission or any of its policies. In the recently concluded "O'Brien libel case" the two defendants, who conducted a newspaper in Manila, were sent to prison on the ground that they had published a report of some sent to prison on the ground that they had published a report of some court proceedings containing statements unfavorable to the defendant, who happened to be a member of the Commission. It was admitted that the report was correct; but the technical point was made that the headlines did not accurately describe the substance of the article.

beadlines did not accurately describe the substance of the article. In recent decisions handed down by courts of first instance in Manila, heavy penalties, including both fine and imprisonment, have been the play. "Illindi Acc Patay," a dramatic production of an allegorical character, in which Philippine independence was hinted at. A process of buying the good will of publications through the award of Government advertising and other favors has been used to supplement the methods of int. alidation already suggested. The expression

of Government advertising and other invors has been used to suppor-ment the methods of int. addation aiready suggested. The expression of opinion through the agency of political parties has also been piaced under severe restriction. The Nationalist party, which attained a considerable degree of strength about two years ago, was destroyed by prosecutions directed against Important men in the organization. Under purely technical attacks upon the form of its constitution, a workthe purely recommend according to the country of the Country works belief that its purpose "was primarily political." These statements are voncised for by the prosecuting officers of our Government; in Manila, who freely admit the ulterior purpose of the prosecutions in question. During the past summer efforts were made to recent the platform of the Federal party in such wise as to demand independence. The revised draft was shown to members of the Commission as a precaution, and these gentlemen requested its suppression on the ground that "it would embarrass Mr. Taft just at this time." The platform never appeared in print.

Do these conditions agree with President McKinley's "rule" that

"no law shall be passed abridging the freedom of speech or of the press, or of the rights of the people peaceably " to petition

the Government for a redress of grievances?'

#### COST OF ADMINISTRATION.

The system of government just described has not even the merit of The system of government just described has not even the mort of comony. It is by far the most expensive government the island has ever known. The Schugnfun (commission (Report, vol. 1, p. 80) gave the annual receipts of the Spanish Government in 1804-35 as \$313.579,900 Mexican, of which sum about \$9,000,000 was derived from internal taxes. The new Internal revenue law of the Philippines just passed is of which sum about \$9,000,000 was derived from internal estimated to produce from \$10,000,000 to \$11,000,000, and is apologized 6153

for by its authors as "no worse than the Spanish." The Schurman Commission quotes (page 79) expenditures of the Spanish Government in 1894-95 as \$13,289,139, of which sum \$4,045,061 was for war and \$2,450,176 for navy. the balance—some \$6,700,060—being civil outlay. As against this sum it may be noted that our outlay for the year 1903 on strictly civil expenses was about \$22,000,000 Medican currency. To this should also be added probably \$2,200,000 for the cost of provincial this should also be added probably \$2,000,000 for the cost of provincial administration and a somewhat greater sum deducted for permanent administration and a somewhat greater sum deducted for permanent with the cost of carrying on the church, some diplomatic expenses, and other items. Without going into these changes in the accounts in detail, it may be stated that the cost of our civil administration is from three to live times as heavy as that of the Spanisrds—yet the Schurnan Commission complained of Spanish administration on the ground of costliness

Nor can the indictment of the expense incident to Philippine administration stop with local conditions in the islands. The Philippines are tremendously expensive to the United States. According to Gen. George W. Davis (Report Div. of Phili, 1908. p. 50), the annual cost of the army and navy in the Philippines in actual cash is at least \$21,-000,000 gold. This estimate was bised upon a force (scouts and Americans) of about 23,000 men. As the present force is probably 3,000 men smaller, a reduction of corresponding amount must be made. This, howsmaller, a reduction of corresponding amount must be made. This, however, is far more than offset by the cost of the Philippine mall service, which falls largely on the United States; of the army transports, both trans-Tachic and increislands by the facts that tropical service for pensions are more numerous as a result of such service; that many army officers are now serving in the Philippine povernment at the cost of the United States; and that, in, a variety of ways, the islands are a continuous draft on our Trasury. Conservative estimators place the present annual money cost of the Philippines to the United States at Not does the money laid out for civil expresser "go largely to Filip."

not less than \$25,000,000. Nor does the money laid out for civil expenses "go largely to Filipinos," as so often claimed. A review of the personnel of the government during the past three years shows that the number of Americans holding civil offices in 1903 was 3,458, as against 2,777 in 1902, and 2,044 in 1904, while the number of Filipinos for these three years was 3,318, 2,697, and 2,502, respectively. In other words, there were employed in 1901 25 per cent more mitres than American, while in 1902 that the street of the property of the control of the

GENERAL SUMMARY.

As General Davis mildly states the situation (Report, 1903, p. 31):
"Americans in the Philippines have not so far been an unmixed blessing to the native inhabitants." We have, in fact, destroyed the public buildings of the country, indicted continuous crop losses, during a period of six years; ravaged and burned large sections of territory; produced conditions leading to the death of most of the farm animals and to serious human and animal cylidenies; brought foreign trade to an unprofitable condition by our itariff legislation; inaugurated at research of the condition by our itariff legislation; inaugurated at research of the condition of the